

Decision Record - Memorandum

Prepared by
U.S. Department of the Interior
Bureau of Land Management

,

This page intentionally
left blank

Table of Contents

1. Eric Sieh, dba — Arctic Backcountry Flying Service, LLC	1
1.1. Compliance	1
1.2. Selected Action	1
1.3. Compliance with NEPA:	1
1.4. Public Involvement:	1
1.5. Rationale:	1
1.6. Appeal or Protest Opportunities:	2
1.7. Authorizing Official:	2
1.8. Contact Person	2
Appendix A. Essential Fish Habitat Assessment	3
Appendix B. Wilderness Characteristics Assessment	5
Appendix C. Compliance with ANILCA Section 810	7

This page intentionally
left blank

Chapter 1. Eric Sieh, dba — Arctic Backcountry Flying Service, LLC

This page intentionally
left blank

1.1. Compliance

The Proposed Action does not trigger any of the Extraordinary Circumstances found in 43 CFR 46.21 516 DM Chapter 2, Appendix 2. In addition, the decision to process this application as a Categorical Exclusion falls within the guidance provided in Appendix 4 NEPA Handbook Appendix 4, 516 DM 11.9 (H) 1, as described above in 'Compliance with NEPA'

1.2. Selected Action

It is my decision to approve the permitting of Arctic Backcountry Flying Service, LLC request for conducting air transporter operations on BLM lands in the Squirrel River Management Area. The approved dates of operation are April 14 through December 31, 2013. In order to respond to concerns from the subsistence community, the entry date for fall season transporter activities into GUA-23-06, on BLM lands, may be delayed or cancelled at the discretion of the authorized officer.

1.3. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the NEPA Handbook Appendix 4, 516 DM 11.9 (H) 1, which states, "Issuance of Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan."

1.4. Public Involvement:

BLM employees participate in the Game Management 23 Working group and receive input from the stakeholders in the region which help in the permitting process. Comments about concerns for commercial and sport hunters impacting migration movements of caribou have been used in determining that access by the transporter industry can be delayed or cancelled at the discretion of the authorized officer.

1.5. Rationale:

1. Authorizing the permit is specifically provided for in the Kobuk/Seward Peninsula Resource Management Plan.
2. The action is categorically excluded and does not trigger any of the extraordinary circumstances found in CFR 46.215.
3. There will be no restriction to subsistence use (See attached ANILCA 810 documentation).
4. There will be no adverse impacts to cultural resources (See attached Assessment of Archaeological and Historic Resources Sec. 106 documentation).
5. There will be no impact on Essential Fish Habitat (see attached EFH determination).

*Chapter 1 Eric Sieh, dba — Arctic Backcountry
Flying Service, LLC
Compliance*

1.6. Appeal or Protest Opportunities:

If you choose to protest this decision you must do so within 15 days of the receipt of permit determination. The protest must be filed with and received by the BLM's CYFO Field Manager within the allotted time. The protest must present any evidence that would show the decision is in error and should be vacated or modified. Within 15 days of receipt of a timely protest the Field Manager will review any evidence provided by you and forward a recommended final decision to the Fairbanks District Manager. The decision of the District Manager will be the final BLM decision, and may be appealed to the Interior Board of Land Appeals.

1.7. Authorizing Official:

/s/ Nichelle W. Jacobson
Manager, Central Yukon Field Office

Date 7/10/13

1.8. Contact Person

For additional information concerning this Finding, contact.

Kelly Egger, Natural Resource Specialist
Central Yukon Field Office
1150 University Ave.
Fairbanks, AK 99709
907/474-2242 email: kegger@blm.gov

Appendix A. Essential Fish Habitat Assessment

NEPA Document No.: DOI-BLM-AK-F030-2013-0034-CX Prepared by: David Esse
Date: 5/28/13 Essential Fish Habitat (EFH) Finding: Anadromous species are present in the project area (ADFG 2013). However, if the applicant adheres to the stipulations in DOI-BLM-AK-F030-2013-0034-CX the proposed action will not have an adverse effect on EFH. Therefore, the proposed action is assigned the EFH determination: No effect. EFH consultation with NMFS is not required. References: Alaska Department of Fish and Game. 2013. Fish distribution database. Internet website at: <http://www.sf.adfg.state.ak.us>.

This page intentionally
left blank

Appendix B. Wilderness Characteristics Assessment

NEPA Document No.: DOI-BLM-AK-03000-2013-0034-CX

Case File/Serial No.: FF096602

Applicant(s): Eric Sieh, dba, Arctic Backcountry Flying Service, LLC

Location: Guide Use Area 23–06 within the Squirrel River and tributaries watersheds

Proposed Action:

Eric Sieh, dba, Arctic Backcountry Flying Service, LLC, has applied for use of BLM lands from April 14, 2013 – December 31, 2013. The applicant is registered with the State of Alaska Big Game Commercial Services Board as an air transporter. The company carries recreational users into the Squirrel River Management Area (SRMA) in the summer and fall seasons for big game hunting activities.

Evaluation:

The basis for this evaluation is BLM Manual 6310-Conducting Wilderness Characteristics Inventory on BLM Lands, and BLM Manual 6320 - Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process, which direct offices to conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified lands with wilderness characteristics in land use plans and when analyzing projects under the National Environmental Policy Act (NEPA).

FINDING:

An inventory of lands with wilderness characteristics was completed for this area (Area Unique Identifiers: CYFO-Squirrel River 001 and CYFO-Squirrel River 002) and found wilderness characteristics.

The proposed activities in this area do not significantly impair the size or naturalness of this area, or the opportunities for solitude and recreation of a primitive and unconfined nature. The BLM has determined that, if a project or activity does not negatively affect wilderness characteristics, the permitting process may proceed as usual. The stipulations attached to this permit will further minimize the effects of human activities.

The proposed action will not impair existing wilderness characteristics.

Type of Assessment/Sources:

Bureau of Land Management, 2007. Kobuk-Seward Peninsula Proposed Resource Management Plan and Final Environmental Impact Statement, Volume 1.

Chris Barns, BLM Representative, Arthur Carhart National Wilderness Training Center, 9 September 2012. "Wilderness Characteristics Guidance for the BLM. Training Module IIID – LWCs and Proposed Projects.

Maps: USGS Baird Mountains quadrangle; GIS layers with land status, acreage, townships, and HUCs identified

Google Earth images

Prepared by: Lisa Shon Jodwalis, Park Ranger-Interpretation

Date: 31 May 2013

Appendix C. Compliance with ANILCA Section 810

NEPA Document No.: DOI-BLM-AK-F030-2013-0034-CX

Applicant(s): Eric Sieh, dba — Arctic Backcountry Flying Service, LLC

Case File/Serial No.: FF096602

Proposed Action: Eric Sieh, dba, Arctic Backcountry Flying Service, LLC, has applied for use of BLM lands from April 14, 2013 – December 31, 2013. The applicant is registered with the State of Alaska Big Game Commercial Services Board as an air transporter. The company carries recreational users into the Squirrel River Management Area (SRMA) in the summer and fall seasons for big game hunting activities.

Location: The activity will take place in Guide Use Area 23–06 within the Squirrel River and tributaries watersheds.

Evaluation by: David Esse and Jennifer

Date: 6/12/13

Type of Assessment/Sources: Review of application materials, subsistence database, local knowledge, interviews with staff knowledgeable about the area and the proposed action

Effect of the proposal on subsistence uses and needs

Fisheries: The Squirrel River is listed as important subsistence use area for salmon (Schroeder et al. 1988A) and non-salmon fish (Schroeder et al. 1988B) from the mouth of the river near Kiana upstream approximately 40 river miles to the Omar River. The primary landing areas are well upstream of this location on the mainstem and North Fork of the river. The proposed actions will not significantly reduce harvestable fisheries resources that are available for subsistence use. The proposed action will not alter the distribution, migration or location of harvestable fisheries resources. The proposed action will not create any legal or physical barriers that would limit access by subsistence users to the fisheries resource.

Wildlife: The Western Arctic Caribou Herd (WAH), which uses the North Fork of the Squirrel River during fall migration, is a critical subsistence resource in northwest Alaska (Dau 2009). Current population estimates for the WAH are 348,000 caribou, which is a modest decline from the 2007 census. The WAH is large, is considered healthy, and ranges throughout most of northwestern Alaska. Users hunting the WAC tend to concentrate in the area during the fall but State hunting regulations have tried to reduce user conflicts between resident and nonresident hunters through reducing nonresident bag limits for caribou. Residents of villages within the Kobuk River drainage harvest WACH caribou for their subsistence needs. Caribou was used in 94% of households in the village of Kiana (Magdanz *et al.* 2011) and is the most important source of red meat for inland villages in the Kobuk River drainage (Bureau of Land Management 1995).

Local residents of Kiana, Noorvik, Kotzebue, and surrounding villages hunt moose in the Squirrel River. Moose density is low in this portion of the state, about 0.1-0.6 moose/mi², and appears to be stable (Dau 2008). Bull:cow ratios are relatively high and sport harvest, which is mostly bulls, is not considered a significant factor limiting the moose population. The Amount Necessary for Subsistence (ANS) estimate is 325-400 moose.

Community-based harvest assessments indicate a higher level of harvest as indicated by the harvest reporting system. Where interviews estimate that approximately 400-450 moose are harvested annually by residents of Unit 23, combined with the harvest ticket data, the total annual harvest of moose in Unit 23 is approximately 530 moose (Dau 2008).

Brown bear populations are considered stable in the region (Dau 2007). The Squirrel River falls within the area where hunting regulations have been liberalized to increase hunting opportunity and reduce predation on moose.

User group conflict exists in the Squirrel River (Harrington and Fix 2009). Among the components of the conflict, the subject of caribou changing migration patterns due to non-local hunters was expressed by some local residents as highly contributing to the conflict, although this belief was not universally held in the communities of Noorvik and Kiana (Harrington and Fix 2009). Other components of the conflict include the perception of numbers of sport hunters and non-local hunting behavior such as letting meat rot, not salvaging meat, and hunting on the wrong side of the river.

Conflicts among user groups may have more to do with access points and space to accommodate all users than numbers of wildlife (Dau 2009). Guide-outfitters generally provide a finer resolution of hunter distribution in the area. The Squirrel River SRMA is in GUA-6. From 1983-1994, GUA-6 (Squirrel, Aggy, and Eli drainages) had one of the highest densities of hunters (1-2 hunters/mi²) in Unit 23. GUA-6 is one of the most heavily used areas in Unit 23 since 1999-2000 (Dau 2008).

Based on current known population estimates and harvest data, it is not likely that populations of important subsistence species, such as caribou and moose, will be reduced as a result of hunters brought into the Squirrel River SRMA using transporters and air taxi services. However, allowing lead caribou to come through will go a long way into clearing up perceived user conflict in the Squirrel River.

The proposed action will not alter the distribution, migration or location of harvestable wildlife resources, nor would it create any legal or physical barriers that would limit subsistence harvest and access. The area is open for both sport and subsistence harvest, as regulated by the State of Alaska and the BLM. If any restrictions are placed on harvest of wildlife resources for the management of game populations, subsistence is given preference over sport harvest.

Other resources:

The proposed action would not appreciably impact any other harvestable resources such as wood, water, berries or vegetation.

Expected reduction, if any, in the availability of resources due to alteration in resource distribution, migration, or location: None. Fish and wildlife resources may temporarily avoid the project area while the permittee and associates are present. However, there is no expected reduction in the

availability of resources due to alteration in resource distribution, migration, or location.

Expected limitation, if any, in the access of subsistence users resulting from the proposal: None. Access to subsistence resources will not be hampered by the proposed action.

Availability of other lands, if any, for the purpose sought to be achieved:

Other public lands are available for the purposes to be achieved. However, the proposed action is a permitted activity on BLM lands and there is no compelling reason to change the site of operation outside of BLM lands.

Other alternatives, if any, which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes: There is no substantial evidence that would indicate a significant impact on subsistence will result from the proposed action. No other alternatives were evaluated.

Findings: The proposed action will not significantly restrict subsistence uses. No reasonably foreseeable and significant decrease in the abundance of harvestable resources or in the distribution of harvestable resources, and no reasonably foreseeable limitations on harvester access have been forecasted to emerge as a function of the action that is analyzed in this document.

References

- Ayers, L.A. 2000. Unit 23 wolf management report. Pages 224-268 in M. Hicks, editor. Wolf management report of survey and inventory activities 1 July 1996-30 June 1999. Alaska Department of Fish and Game. Juneau, Alaska.
- Bureau of Land Management. 1995. Squirrel River Integrated Activity Plan Overview (Draft) Document. Kobuk District Office. Fairbanks, Alaska.
- Dau, J. 2009. Units 21D, 22A, 22B, 22C, 22D, 22E, 23, 24 and 26A caribou management report. Pages 174-231. Alaska Department of Fish and Game. Caribou management report of survey-inventory activities 1 July 2006-30 June 2008. P. Harper, editor. Juneau, Alaska.
- _____. 2008. Unit 23 moose management report. Pages 558-578 in P. Harper, editor. Moose management report of survey and inventory activities 1 July 2005-30 June 2007. Alaska Department of Fish and Game. Project 1.0. Juneau.
- _____. 2007. Unit 23 brown bear. Pages 277-299 in P. Harper, editor. Brown bear management report of survey and inventory activities 1 July 2004-30 June 2006. Alaska Department of Fish and Game. Project 1.0. Juneau, Alaska.

- Harrington, A.M. and P.J. Fix. 2009. Benefits based management study for the Squirrel River Area. Project report for USDI Bureau of Land Management. Fairbanks, Alaska: Department of Resources Management, University of Alaska Fairbanks.
- Hollis, A.L. 2008. Units 23 East, 24 West, and portions of Unit 26A Dall sheep. Pages 162-176 *in* P. Harper, editor. Dall sheep management report of survey and inventory activities 1 July 2004—30 June 2007. Alaska Department of Fish and game. Project 6.0. Juneau, Alaska.
- Magdanz, J.S., D.S. Koster, L. Naves, and P. Fox. 2011. Subsistence harvests in northwest Alaska, Buckland, and Kiana, 2003 and 2006. Alaska Department of Fish and Game, Division of Subsistence Technical Paper No. 363. Anchorage, Alaska.
- Schroeder, R., D.B. Anderson, and G. Hildreth, 1988A. Subsistence use areas by resource: Bowhead whale, salmon, waterfowl, and waterfowl and other bird eggs. Map 5. Maniilaq Association and Division of Subsistence, Alaska Department of Fish and Game, Juneau.
- Schroeder, R., D.B. Anderson, and G. Hildreth, 1988B. Subsistence use areas by resource: Dall sheep, furbearers, polar bear, and non-salmon fish. Map 8. Maniilaq Association and Division of Subsistence, Alaska Department of Fish and Game, Juneau.